

REMARKS

Reconsideration of this application and the rejection of claims 1, 3-10, 12-17, and 19-21 is respectfully requested. Applicant has attempted to address every objection and ground for rejection in the Office Action dated July 11, 2005 and believes the application is now in condition for allowance. The claims have been amended to more clearly describe the present invention.

Claims 1, 2, 4-6, 9, 10, 12, and 13 stand rejected under 35 U.S.C. §102(e) as being anticipated by Moeller. As applied to the claims as amended, Applicant respectfully traverses the rejection.

Claim 1 has been amended to further define, among other things, that the elastic member of the suspension mechanism is disposed directly between the fan motor and the cylinder head. This feature was defined in dependent claim 2, which has now been cancelled. Claim 2 currently stands rejected as being anticipated by Moeller. However, Applicant respectfully traverses the rejection insofar as it is applied to amended claim 1 for at least the reason that Moeller fails to teach or suggest, among other features, that an elastic member of a suspension is disposed directly between a fan motor and a cylinder head. In fact, Moeller directly teaches away from such a feature.

For example, as shown in FIGs. 1, 2A, and 3 of Moeller, a fan motor 40 is disposed within and mounted to a motor retaining cup 58. Resilient web 78, cited as an elastic member, is not disposed directly between the fan motor 40 and a cylinder head 34, but instead at least one intermediate piece is present, namely the retaining cup 58 (including

radial lip 76). The Office Action cites FIGs. 1-3 and 6, as well as col. 5, line 8 though col. 7, line 54 as apparently teaching the claimed feature. However, a careful examination of the figures reveals that web 78 clearly is not disposed directly between the fan motor and the cylinder head.

For at least these reasons, Applicant respectfully submits that claim 1 as amended, and dependent claims 3-8, are allowable over the references of record, including Moeller. Dependent claim 4 has been amended to depend from amended claim 1, instead of now-cancelled claim 2. Applicant thus respectfully requests reconsideration and withdrawal of the rejection.

Currently-rejected independent claim 9 has been amended to incorporate at least the feature of now-cancelled claim 11, wherein the elastic member is in direct contact with the motor. Applicant respectfully submits that claim 9 as amended is neither anticipated nor rendered obvious by Moeller, for at least the reason that Moeller fails to teach or suggest, and in fact teaches directly away from, an elastic member that is in direct contact with a motor. As explained above, the motor 40 in Moeller is not in direct contact with web 78, but rather contacts a retaining cup 58 having a lip 76, which in turn contacts web 78.

Furthermore, claim 11 is separately rejected under 35 U.S.C. §103(a) as being unpatentable over Moeller in view of Nikolich. However, Applicant respectfully traverses this rejection insofar as it is applied to amended claim 9 for at least the reason that one of ordinary skill in the art would not, absent impermissible hindsight, find it obvious to modify

the inventions of Moeller or Nikolich to incorporate the combination of features defined in amended claim 9.

Particularly, the Office Action submits, regarding claim 11, that “it would have been obvious to one having ordinary skill at the time the invention was made to have provided the invention of Moeller with the directly connecting and force absorbing suspension mechanism for the purpose of providing support to a fan motor during operation.”

However, Applicant respectfully traverses this statement for at least the reason that Moeller and Nikolich have fundamentally different designs for a suspension mechanism.

For example, Nikolich does not teach or suggest suspending its motor within a depending cavity of the cylinder head, while Moeller teaches this feature. Also, Moeller specifically discloses a separate retaining cup 58 mounted to motor 40, having a lip 76 to which a web 78 is fastened. This retaining cup is a significant structural feature of Moeller. There is no suggestion in either Moeller or Nikolich to modify the design of the suspension mechanism in Moeller to remove the intermediate piece.

For at least these reasons, Applicant respectfully submits that claim 9 as amended and dependent claims 10 and 12-16 are allowable over the references of record, including Moeller and Nikolich (insofar as it is applied to this rejection). Applicant thus respectfully requests reconsideration and withdrawal of the rejection.

Claims 7, 8, 14, 15, 20, and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Moeller. As applied to the claims as amended, Applicant respectfully traverses the rejection. Claims 7 and 8 are respectfully submitted to be allowable for at least

the reasons stated above regarding independent claim 1 as amended. Claims 14 and 15 are respectfully submitted to be allowable for at least the reasons stated above regarding independent claim 9 as amended.

Additionally, Applicant respectfully submits that, while it may be known to provide a snap ring or retaining rings for preventing the accidental removal of an object, the restraining member of Moeller cited in the Office Action is not a snap ring, but instead is a circuit board 116. There is no apparent suggestion to replace the circuit board of Moeller with a snap or retaining ring. Applicant respectfully submits that claims 14 and 15 are allowable for at least this additional reason.

Currently-rejected independent claim 20 has been amended to further define, among other things, that the elastic member is disposed within the tool at least partially within the cavity of the cylinder head. Applicant respectfully submits that Moeller neither discloses nor suggests at least this feature. As clearly shown in FIGs. 1-4 of Moeller, web 78 is not disposed within the cavity of cylinder head 34, but is instead disposed radially outside of the cavity, separated from the cavity by, among other things, lip 76. Further, Applicant respectfully submits that one of ordinary skill in the art would not find it obvious, absent impermissible hindsight, to modify the structure taught in Moeller to teach or suggest at least this feature. For at least these reasons, Applicant respectfully submits that claim 20 as amended and dependent claim 21 are allowable over the references of record including Moeller. Applicant thus respectfully requests reconsideration and withdrawal of the rejection.

Claims 3, 11, and 17-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Moeller in view of Nikolich. As applied to the claims as amended, Applicant respectfully traverses the rejection. Applicant submits that dependent claim 3 is allowable for at least the reasons submitted above regarding amended independent claim 1, and for at least the additional reason that one of ordinary skill in the art would not find it obvious, absent impermissible hindsight, to modify the invention of Moeller to provide that the elastic member is in direct contact with the motor. As stated above, there is no suggestion cited in the art for modifying the suspension mechanism of Moeller to provide direct contact between the elastic member and the motor, as Moeller describes a retaining cup 58 mounted to the motor and disposed within the cavity of the cylinder head. As Moeller and Nikolich are directed to significantly different designs, one of ordinary skill in the art would not find it obvious to modify either reference to provide all of the features defined in amended claim 1 or dependent claim 3.

Currently-rejected claim 11 has been cancelled, without prejudice, and the feature of an elastic member being in direct contact with the motor has been incorporated into amended independent claim 9, as described above. For at least the reasons submitted above, Applicant respectfully submits that amended claim 9 is allowable over the references of record, including Moeller and Nikolich.

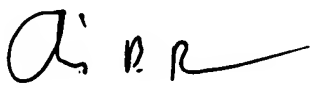
Independent claim 17 has been amended to incorporate features of now-cancelled claim 18, particularly that the elastic member is in direct contact with the motor. For at least the reasons submitted above, Applicant respectfully submits that claim 17 as

amended is allowable over the references of record, including Moeller and Nikolich. Currently-amended independent claim 19, defining, among other things, that the elastic member is in direct contact with the motor, is similarly believed to be allowable for at least the reasons described above regarding Moeller and Nikolich. Applicant thus respectfully requests reconsideration and withdrawal of the rejection.

Accordingly, for at least the foregoing reasons, Applicant submits that this Application, including all pending, elected claims, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney should he find that any further issues exist related to patentability. Contact may alternatively be made with Lisa Soltis, the principal attorney of record, at (847) 724-7500. All correspondence should be directed to Ms. Soltis.

Respectfully submitted,

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